

February 15, 2007

HCA INC
P.O. BOX 550
NASHVILLE TN 37202-0550

Dear Mr. Schoennauer:

RE: File No. [PD07-008](#)

Your application, referenced above, for demolition of many of the buildings at the San Jose Medical Center, located on the [northeast corner of E. Santa Clara Street and N. 14th Street](#) in the City of San Jose has undergone review for completeness and consistency with City policies and regulations. The purpose of this letter is to provide you with information as early as possible so you can appropriately respond to the issues identified below.

ENVIRONMENTAL REVIEW

Although we have not completed our review of the Initial Study that was submitted with this project, the Director of Planning has decided to require an Environmental Impact Report (EIR). Although we recognize that the mitigation measures identified in the Initial Study could be argued to reduce impacts to a Less than Significant level, it is anticipated that during the public review process the city will receive substantial evidence in support of a fair argument that the project will have a significant, unavoidable impact to warrant an EIR. CEQA case law provides that the city is not allowed to weigh conflicting evidence regarding significant impacts; therefore the Director of Planning believes that an EIR would provide the legally defensible environmental review process for the proposed project.

COMPLETENESS OF YOUR APPLICATION

Permit Streamlining Act. Pursuant to the Permit Streamlining Act (Government Code Chapter 4.5 of Title 7), your application is not complete. Prior to a determination that the project application is complete, the following issues must be addressed.

1. **Outstanding Fees.** There is an outstanding balance for your project of \$939.00. These fees need to be paid in order to continue processing of your application.
2. **Legal Description.** Submit a legal description for the parcels to be included in the proposed project.
3. **Property Owner Signature.** While the property owner has signed the application as required, please have the property owner also print the name legibly on the enclosed page of the application form and re-submit to me.

COMMENTS FROM OTHER DEPARTMENTS/DIVISIONS AND AGENCIES

Preliminary Comments. Attached are memorandums from the Environmental Services Department and the Fire Department. I am still expecting a memorandum from the Public Works Department, and will forward it as soon as I receive it.

PUBLIC OUTREACH

Given the known community interest in this project, a community meeting will be required. In addition to the community meeting, the following items are required as part of the City Council's Public Outreach Policy. The proposed project is considered a *controversial project* pursuant to the City Council Public Outreach Policy. The policy contains a variety of public notification methods including (1) community meetings, (2) an on-site public notification sign, (3) mailed notices to residents and occupants within a 1,000-foot radius and (4) a newspaper advertisement in the San Jose Mercury News and community newspapers. You can reference the Public Outreach Policy online from <http://www.sanjoseca.gov/planning/counter/policies/index.htm>.

CONCLUSION

Please be aware that additional fees may be assessed at a later date. Fees for community meetings, for additional public noticing requirements, and for other processes/reviews included in the adopted fee schedule may be applicable to this proposal. I will inform you as soon as any of these fees would be applicable. The project will not be brought to hearing and may be deferred until all fees have been paid in full.

If you have any questions regarding the information contained in this letter, please feel free to contact me via e-mail at michelle.stahlhut@sanjoseca.gov or to give me a call on my direct line at (408) 535-7849.

Sincerely,

Michelle Stahlhut
Project Manager

Attachments

Fire Department
Environmental Services Department Memo
Application Form pg. 3